## Sn. 10/585,269

## REMARKS

Claims 1-8 remain pending in this application for which applicant seeks reconsideration.

Claims 1-8 now stand rejected under 35 U.S.C. § 103(a) as unpatentable over Asada (USPGP 2006/0050897) in view of Hatae (USP 5,675,655). Applicant submits that Asada is not a viable prior art reference since the present application claims priority to an application having a filing date of 05 **January** 2004, which predates the earliest effective date (03 **June** 2004) of Asada. Specifically, Asada's earliest prior art date is the publication date (03 June 2004) of the PCT application (PCT/JP03/13082). Note that Asada has no § 102(e) date since the PCT application was published in non-English (Japanese). That is why no § 102(e) date is shown on the cover page of Asada. Since the filing date of the present priority application is earlier than Asada's earliest publication date, Asada is not prior art.

Applicant submits a verified English translation of the priority application to perfect a claim for priority and overcome the art rejection.

Moreover, even if Asada were deemed prior art, applicant submits that Asada would not have taught providing the same first delay signal to each of the loudspeakers and the same second delay signal to each of the loudspeakers as set forth in the pending claims.

Applicant submits that claims 1-8 patentably distinguish over the applied references and are in condition for allowance. Should the examiner have any issues concerning this reply or any other outstanding issues remaining in this application, applicant urges the examiner to contact the undersigned to expedite prosecution.

Respectfully submitted,

ROSSI, KIMMS & McDOWELL LLP

<u>08 DECEMBER 2009</u>

DATE

/Lyle Kimms/ Lyle Kimms, Reg. No. 34,079

20609 GORDON PARK SQUARE, SUITE 150 ASHBURN, VA 20147 703-726-6020 (PHONE) 703-726-6024 (FAX)